

Town Board Minutes

August 4, 2003

Meeting No. 28

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 4th day of August, 2003 at 8:00 P.M. and there were

PRESENT: RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: MARK MONTOUR, COUNCIL MEMBER
RICHARD ZARBO, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
CHRISTINE FUSCO, ASSESSOR
ROBERT LABENSKI, TOWN ENGINEER
RICHARD REESE, HIGHWAY SUPERINTENDENT
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
TERRENCE McCracken, GENERAL CREW CHIEF

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matters:

- Questions about the changes in the N/S corridor of the Comprehensive Master Plan.
- Pleased that the Town of Lancaster has a resolution to address the issue of composting in the Code of the Town of Lancaster.
- Comments and concerns regarding the Town's acquisition of a building on Walden Avenue for use as a Town Complex.

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matters:

- Comments regarding the retirement of Police Officers and civilian Police staff.

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matter:

- Political comments.

Howell, Gary, 48 Park Blvd, spoke to the Town Board on the following matter:

- Comments about contract to purchase a building to be utilized as a Town complex.

Kubicki, Gloria, 15 Maple Drive, spoke to the Town Board on the following matter:

- Questions about speeding on Freeman Road.
- Comments on motels, big box retail, green space, and crime at motels.

Przybysz, Paul, 66 Northwood Drive, spoke to the Town Board on the following matter:

- Questions about land that Lafarge proposed to donate to Town of Lancaster

for soccer fields.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matters:

- Questions about garbage collection & hauling contract; feels that the refuse Collection Ad Hoc Committee should be reinstated.
- Questions about the public comment period regarding the adoption of the Final Generic Environmental Impact Statement of the Comprehensive Master Plan.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Planning Board and the
Town Board held July 21, 2003 and the Regular Meeting of the Town Board held July 21, 2003 be
and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 4, 2003

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, JILL MONACELLI, the owner of real property situate at 440 Lake Avenue, Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (pet care business) in accordance with provisions of Chapter 50- Zoning Code of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Section 17 (F) entitled “Home Occupations” of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a Home Occupation (pet care business) on premises locally known as 440 Lake Avenue, Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 18th August 2003, 8:30 o’clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 4, 2003

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
SPECIAL USE PERMIT - MONACELLI**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 17 (F) “Home Occupations” of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 4th day of August, 2003, the Town Board will hold a Public Hearing on the 18th day of August, 2003, at 8:30 o’clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Jill Monacelli, for a Special Use Permit for a Home Occupation (pet care business) on premises locally known as 440 Lake Avenue, in the Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

August 4, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Brett Fitzpatrick, 4845 Transit Road A-5, Lancaster, New York, has submitted a Site Plan prepared by Wm. Schutt & Associates, P.C. dated June 16, 2003 and received June 17, 2003 for the construction of seven buildings comprising a total of 84 units, eight garage buildings with a capacity of 84 vehicles, associated access drives, outdoor parking, a clubhouse and swimming pool located at 4845 Transit Road, in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan and at its meeting July 2, 2003 has recommended approval of this project, and

WHEREAS, a SEQR Review of this project was held July 21, 2003 and a negative declaration was issued at that time.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Brett Fitzpatrick, prepared by Wm. Schutt & Associates, P.C. dated June 16, 2003 and received June 17, 2003 for the construction of seven buildings comprising a total of 84 units, eight garage buildings with a capacity of 84 vehicles, associated access drives, outdoor parking, a clubhouse and swimming pool located at 4845 Transit Road, in the Town of Lancaster in accordance with landscaping plans received on August 4, 2003.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 4, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town of Lancaster invited bids for the collection and hauling of municipal solid waste for the Town of Lancaster, and

WHEREAS, bids were received on July 2, 2003 and thereafter opened and tabulated, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed the bids received addressing the collection and haul of municipal solid waste in the Town of Lancaster and deems it in the public interest to reject the bids for the Town of Lancaster pursuant to the rights of the Town of Lancaster under the authority contained and reserved in the bid documents and specifications.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby rejects the bids received for the collection of municipal solid waste for the Town of Lancaster pursuant to the rights of the Town of Lancaster under the authority contained and reserved in the bid documents and specifications.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

August 4, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the fee charged by town and city clerks for issuing marriage licenses for couples intending to be married in New York State will be \$40, effective August 1, 2003, as set by the 2003-2004 budget of the State of New York, and

WHEREAS, the breakdown of the fee is as follows:

- \$30 - Marriage License
- \$10 - Certificate of Marriage Registration

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is authorized to collect a fee of \$40 for the issuing of New York State marriage licenses and Certificate of Marriage Registration, effective August 1, 2003.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

August 4, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, persons issued building permits by the Building Inspector and reaffirmed by the Town Board of the Town of Lancaster sometimes decide not to pursue construction of the project authorized by the building permit, and

WHEREAS, the Town Board has authorized the Town Clerk to issue building permit fee refunds to such persons if applied for in a two (2) year period following the approval of the building permit, and

WHEREAS, Ross Contella, 41 Creekwood Drive, Lancaster, New York by letter dated July 2, 2003 has requested a refund of his building permit issued May 11, 2001 and the Building Inspector has indicated his approval of this request by letter dated July 16, 2003.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster has determined that the length of over time for the refund request is minimal and the Town Clerk is directed to issue a refund in the amount of \$49 for building permit #7941 to Ross Contella, 41 Creekwood Drive, Lancaster, New York.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

August 4, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town of Lancaster seeks grant monies to purchase computer equipment for the Emergency Management Department to assist the Department in responding to emergency situations and for training purposes, and

WHEREAS, grant monies are available through the Erie County Public Benefit Fund via Legislator Dale Larson for this purpose.

NOW, THEREFORE BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Erie County Public Benefit Fund for the purpose of securing this grant, and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

August 4, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town of Lancaster seeks grant monies to further the community clock project, and,

WHEREAS, grant monies are available through the Erie County Public Benefit Fund via Legislator Dale Larson for this purpose.

NOW, THEREFORE BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Erie County Public Benefit Fund for the purpose of securing this grant, and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

August 4, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to amend Section 50-25 (B) (1) (e) and Section 50-9 (B) (1) of Chapter 50, Zoning of the Code of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a Public Hearing on a proposed amendment to Section 50-25 (B) (1) (e) and Section 50-9 (B) (1) of Chapter 50 Zoning, of the Code of the Town of Lancaster, County of Erie and State of New York will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 18th day of August, 2003, at 8:40 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the time and place of such hearing be published on or before the 7th of August, 2003, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 4, 2003

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 4th day of August, 2003, the said Town Board will hold a Public Hearing on the 18th day of August, 2003 at 8:40 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendments to Section 50-25 (B) (1) (e) General Industrial District and Section 50-9 (B) (1) Agricultural Residential Districts (A-R). of Chapter 50 Zoning of the Code of the Town of Lancaster:

CHAPTER 50 - ZONING

1. Section 50-25. General Industrial District (GI)., of Chapter 50, Zoning, of the Code of the Town of Lancaster shall be amended by adding thereto the following:

“Section 50-25. General Industrial District

.....

B. Permitted uses.

(1) Principal structures and uses.

(e.) The outdoor storage as permitted in this zoning classification shall not include the storage of yard waste or any other vegetative material or any composting type operation using such materials.

2. Section 50-9. Agricultural Residential Districts (A-R)., of Chapter 50, Zoning, of Code of the Town of Lancaster shall be amended by adding thereto the following:

“Section 50-9. Agricultural Residential Districts (A-R).

.....

B. Permitted structures and uses.

(1) Principal structures and uses.

(j.) Composting or other outdoor storage of yard waste and/or vegetative material subject to the issuance of a special use permit by the Town Board. Any composting facility or facility providing

for outdoor storage of yard waste or other vegetative material shall be carried out on a minimum parcel of 100 acres and shall be located a distance of at least 1000 feet from any adjacent use which is non-agricultural in nature and shall further be at least 1000 feet removed from any dedicated highway. Any area devoted to the use provided for and permitted herein shall also be surrounded completely by a berm a minimum of 15 feet in height from existing ground level and any material being stored shall not exceed 10 feet in height.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

August 4, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has reviewed the Final Generic Environmental Impact Statement which was prepared by Clough, Harbour & Associates LLP for the proposed Comprehensive Master Plan for the Town of Lancaster, and

WHEREAS, the SEQR Municipal Review Committee (MRC) has duly reviewed the FGEIS and is satisfied that it meets the criteria for a FGEIS and contains information which is technically adequate, and

WHEREAS, pursuant to 6NYCRR Section 617.11 (a) of the SEQR regulations, a lead agency may not make a decision on an action that has been the subject of an FGEIS until interested agencies and the public have a reasonable time in which to consider the FGEIS before the lead agency issues its written findings statement (minimum ten (10) days per SEQR regulations), and

WHEREAS, the Town Board acting as the lead agency desires to comply with the minimum ten (10) days in the beforementioned regulations for review by interested agencies and the public;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby accepts the Final Generic Environmental Impact Statement (FGEIS) as submitted as adequate and complete for the Comprehensive Master Plan as prepared by Clough, Harbour & Associates LLP at the direction of the Town Board which commences the minimum ten (10) day comment period under 6NYCRR Section 617.11 (a).

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 4, 2003

File: comprehensiveplan803

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 3497 to Claim No. 3757 Inclusive

Total amount hereby authorized to be paid: \$508,624.57

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 4, 2003

File: Rclams

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby
reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are
waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

TABLED PERMIT:

10909	Kid's Korner	2655 Wehrle Dr	Er. Sign-Temp
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NEW PERMITS:

10792	Duro-Shed Inc	36 Old Post Rd	Er. Shed	
10908	Duro-Shed Inc	12 Nottingham Ln	Er. Shed	
10910	Marrano/Marc Equity	46 Apple Blossom Blvd	Er. Dwlg.-Sin.	
10911	Marrano/Marc Equity	32 Apple Blossom Blvd	Er. Dwlg.-Sin.	
10912	Colley's Pool Sales Inc	8 Schiffler Ct	Er. Pool-Abv Grnd	
10913	Nugent, Michael	68 Trentwood Trl N	Er. Deck	
10914	Majestic Pools Inc	16 Farmview Ct	Er. Pool-In Grnd	
10915	Stearns, Timothy	9 Main St	Er. Pool-Abv Grnd	
10916	Williams, Sherri	11 Park Walk	Er. Fence	
10917	Patterson, Joel	206 Belmont St	Er. Res. Add.	
10918	Marrano/Marc Equity	41 Summerfield Dr	Er. Dwlg.-Sin.	
10919	Marrano/Marc Equity	54 Cedar Brook Dr	Er. Dwlg.-Sin.	
10920	Strasser, Lawrence	7 Burwell Ave	Er. Deck	(V/L)
10921	Santoro Signs Inc	4381 Walden Ave	Er. Sign	
10922	Zagarrio, Mario	6360 Genesee St	Er. Dwlg.-Sin.	
10923	C.D. Sams	6363 Transit Rd	Er. Sign-Temp	
10924	Kerl, Michael	46 Bentley Cir	Er. Pool-Abv Grnd	
10925	Leisurewood Design	46 Bentley Cir	Er. Deck	
10926	Markowski, James	8 Montauk Ln	Er. Shed	
10927	Bengert Greenhouses	6 Park Walk	Er. Pool-Abv Grnd	
10928	O'Connell, Thomas	4 Devonshire Ln	Er. Deck	
10929	Schemm, Edward Jr	57 Bowen Ave	Er. Shed	(V/L)
10930	Wolf, Harold	526 Pleasant View Dr	Er. Garage	
10931	Classic Fence	2 Redlein Dr	Er. Fence	
10932	Schultz, Clifford	34 Cowing St	Er. Fence	(V/L)
10933	Walter, Kelly	404 Central Ave	Er. Res. Add.	
10934	Essex Homes of WNY	634 Pleasant View Dr	Er. Dwlg.-Sin.	

10935	Malke, Alan Jr	310 Broezel Ave	Er. Garage	
10936	Buscaglia Decks	12 Creekwood Dr	Er. Deck	
10937	SW Diedrich, Ronald	5526 Genesee St	Er. Dwlg.-Sin.	
10938	Schoenhardt, Carl	32 Parkedge Dr	Er. Shed	
10939	Town of Lancaster IDA	4845 Transit Rd	Er. Sign-Temp	
10940	Bykowicz, Michael	2099 Como Park Blvd	Er. Fence	(V/L)
10941	Monin, David	579 Erie St	Er. Fence	
10942	Powell, James	734 Pavement Rd	Er. Garage	
10943	Ketterer, Jeffrey	228 Nathan's Trl	Er. Deck	
10944	Rudnick, Robert	37 Woodgate Dr	Er. Fence	
10945	Widmer, J	5248 William St	Er. Shed	
10946	Appenheimer, John	103 Erie St	Dem. Porch	(V/L)
10947	Brown, Daniel	33 Hillside Pky	Er. Fence	
10948	Beauty Pools Inc	9 Peachtree Ct	Er. Fence	
10949	Beauty Pools Inc	9 Peachtree Ct	Er. Pool-In Grnd	
10950	Perfect Fence Co	28 Peachtree Ct	Er. Fence	
10951	American Eagle	28 Hunters Dr	Er. Gazebo	
10952	Good, Calvin	5672 Broadway	Er. Shed	
10954	Irish Consruction Inc	4844 William St	Er. Fence	
10953	Armor Fence Co	699 Pleasant View Dr	Er. Fence	
10955	SW North Forest Dev LLC	2801 Wehrle Dr	Er. Comm. Bldg.	
10956	Fowler, Thomas	7 Nashua Ct	Er. Garage	(V/L)
10957	Lucas Custom Fence	20 Woodgate Dr	Er. Fence	
10958	Iroquois Fence Inc	2 Devonshire Ln	Er. Fence	
10959	Iroquois Fence Inc	41 Apple Blossom Blvd	Er. Fence	
10960	Maciuba, Carol	426 Lake Ave	Er. Res. Add.	
10961	Renaud, Kevin	12 Winding Way	Er. Deck	
10962	Zaborowski, Paul	5349 Genesee St	Er. Deck	
10963	Santoro Signs Inc	0 Hedge Ln	Er. Sign	
10968	Main, Kelly	61 Stony Brook Dr	Er. Shed	
10969	Gulliford, Marc	1169 Ransom Rd	Er. Garage	
10970	Marth, Julie	12 Stream View Ln	Er. Shed	
10971	Marrano/Marc Equity	9 Apple Blossom Blvd	Er. Dwlg.-Sin.	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 4, 2003

SUSPENDED RESOLUTION:

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolution:

Council Member Ruffino moved to suspend the necessary rules for immediate consideration of the following resolution, seconded by Council Member Stempniak, on roll call, which resulted as follows

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster has requested the Town Board to advertise for bids to furnish a New 2003 Police Vehicle, for use by the Police Department, and

WHEREAS, the Public Safety Committee of the Town Board has approved such request;

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders and/or Automobile Dealers, in form attached hereto and made a part hereof, be published in the Lancaster Bee and posted according to Law, that the Town will receive bids up to 10:00 o'clock A.M. Local Time, on August 13, 2003, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the furnishing of a New 2003 Police Vehicle for use by the Police Department of the Town of Lancaster, in accordance with specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

August 4, 2003

File: rpolicebids803

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS
AND/OR
AUTOMOBILE DEALERS**

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 A.M., Local Time, on the 13th day of August, 2003, for furnishing to the Police Department of the Town of Lancaster, New York, for a New 2003 Police Vehicle for use by the Police Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in the amount of One Thousand Dollars (\$1,000.00), payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: JOHANNA M. COLEMAN
Town Clerk

August 4, 2003

COMMUNICATIONS & REPORTS:

- 438. Erie County Dept. of Environment & Planning to Town Clerk -
Notification of Lead Agency Designation to the Town of Cheektowaga regarding
Walden Running Track & J.D. Industrial Track Abandonment; recommendations
noted. DISPOSITION = Town Attorney
- 439. Lancaster/Depew Ponytails to Town Board -
Transmittal of July 2003 Newsletter. DISPOSITION = Received and Filed
- 440. NYS Public Service Commission to Town Board -
Copy of proceedings of session to examine Telephone Network Reliability.
DISPOSITION = Received and Filed
- 441. Erie County Dept. of Public Works to Town Board -
Notice of advertisements and receiving of bids for various projects.
DISPOSITION = Received and Filed
- 442. Erie County Dept. of Public Works to Town Board -
Notice of Pre-Letting Meeting regarding various projects. DISPOSITION =
Received and Filed
- 443. Mrs. Kim Granaas to Supervisor -
Letter of appreciation regarding Town Dog Control Officer and Assistant.
DISPOSITION = Received and Filed
- 444. Southeast Works to Supervisor -
Notice of intent to establish a community residence at 117 Iroquois Avenue.
DISPOSITION = Town Attorney
- 445. David Szczesny to Town Board -
Letter regarding traffic concerns at the intersection of William Street and Aurora
Street. DISPOSITION = Safety Committee
- 446. Malcom Pirnie, Inc. to Supervisor -
Letter regarding proposed Erie County composting facility in the Town of Alden.
DISPOSITION = Received and Filed
- 447. Lancaster-Depew Leagues, Inc. to General Crew Chief -
Letter of appreciation to Town Parks and Recreation Department during the Cal
Ripken Elimination Tournament. DISPOSITION = Received and Filed
- 448. Erie County Department of Public Works to Town Board -
Notice of highway closure of Stony Road between Genesee Street and Pleasant
View Drive effective August 4, 2003. DISPOSITION = Highway Superintendent,
Fire Department, Police, Lancaster Volunteer Ambulance Corps., Town Engineer
- 449. Florence Kogut to Supervisor -
Letter regarding traffic situation on Maple Drive. DISPOSITION = Safety
Committee
- 450. NYS DEC to Town Board -
Letter regarding school owned or operated Municipal Separate Stormwater Sewer
System (MS4) within Town. DISPOSITION = Town Engineer
- 451. Richard & Sonja Twardowski to NYS DOT -
Letter regarding Freeman Road and proposed Transit Road reconstruction.
DISPOSITION = Planning Committee
- 452. Richard S. Walczak to Supervisor -
Request to make intersection of Chestnut Corner and Windsor Ridge a three-way
stop. DISPOSITION = Safety Committee
- 453. Erie County Department of Environment & Planning to Town Board -
Notice of Regional Roundtable on Agriculture and Farmland Protection to be held

- 454. Town Attorney to Municipal Review Committee -
Notice of Municipal Review Committee meeting, to be held August 4, 2003 at 6:30 PM to accept the Final Generic Environmental Impact Statement for the Comprehensive Master Plan. DISPOSITION = Received and Filed
- 455. Town Clerk to various news media -
Notification of joint meeting of the Town Board and Planning Board to be held August 4, 2003 regarding the Final Generic Environmental Impact Statement. DISPOSITION = Received and Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED
BY COUNCIL MEMBER RUFFINO, by voice vote, which resulted as follows:

COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The meeting was adjourned at 9:08 P.M.

Signed _____
Johanna M. Coleman, Town Clerk